

LAS VEGAS POLICE DEPARTMENT	OPERATIONS
<b>SUBJECT:</b> <i>Traffic</i>	<b>NUMBER:</b> OPR.7
<b>EFFECTIVE DATE:</b> <i>9 September 2010</i>	<b>REVIEW DATE:</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b> <i>Chief of Police Gary Gold</i>
<b>NMMLEPSC STANDARDS:</b> <i>OPR.07.01 – OPR.07.16</i>	<b>NMSA:</b>

**I. PURPOSE:**

The purpose of this policy is to ensure the efficient and effective management of the Traffic Function by providing administrative guidance that identifies the responsibilities and processes within the uniform and organizational components of the department.

**II. POLICY:**

It is the policy of the Las Vegas Police Department to manage the traffic function in an effective and efficient manner by coordinating the efforts of uniform and other organizational components as provided in this policy.

**III. APPLICABILITY:**

This policy applies to all commissioned employees of the Las Vegas Police Department

**IV. REFERENCES:**

- A. NMMLEPSC OPR 07.01-07.16
- B. NMSA 1978, SECTIONS 66-8-138, 139 (CUM. SUPP. 1993).
- C. Las Cruces V. Betancourt 1987

**V. DEFINITIONS:**

- A. Field Sobriety Test (SFST) - Is a battery of tests administered and evaluated in a standardized manner to obtain validated indicators of impairment and establish probable cause for arrest.
- B. Blood Alcohol Content (BAC) - The Concentration of alcohol in the blood, expressed as the weight of alcohol in a fixed volume of blood and used as a measure of degree of intoxication in an individual.

VI. **PROCEDURE:**

- A. In order to ensure that traffic law enforcement actions are in accordance with applicable laws and that they take into account the degree and severity of the violation, guidelines have been established to govern enforcement activities. The primary objective of traffic law enforcement is the promotion of traffic safety. All officers are expected to have a working knowledge of traffic laws and their proper application. All officers share the responsibility of traffic law enforcement.
- B. A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers.
- C. The Las Vegas Police Department is charged with protecting these rights, for all, regardless of race, color, ethnicity, sex, sexual orientation, physical handicap, religion or other belief system. Because of the nature of law enforcement, officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon and that detects and apprehends criminals.
- D. The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement is totally unacceptable, to provide guidelines for officers to prevent such occurrences, and to protect our officers when they act within the dictates of the law and policy from unwarranted accusations.
- E. This policy is intended to assist officers in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police. It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or about to commit, an infraction of the law.
- F. It is the intended purpose of the Department to insure compliance with regulations set forth by the New Mexico and the City of Las Vegas Traffic Code. The directives in this order are intended to provide guidance in achieving these objectives.

**1. Crashes**

- A. As a general rule, the first responding officer to a reported crash scene shall take charge of the scene until the call is completed or is properly relieved of such duties.**
- B. Officers responding to the scene of a reported crash have the following responsibilities:**
  - 1. Determine the need, if any, for EMS response;**
  - 2. Identify potential or actual fire hazards or dangerous conditions so that appropriate action can be taken;**
  - 3. Determine the need for additional assistance;**
  - 4. Protect the scene;**
  - 5. Establish safe movement of traffic around the crash scene.**
  - 6. Collect the necessary information to complete a thorough investigation and file a report.**
- C. It is the intent of the Department to expedite the removal of debris and vehicles from the roadway. A towed vehicle report will be completed and the vehicle removed as soon as practical. While, under normal circumstances, a diagram of the crash scene is standard procedure and the preferred response, exigent circumstances may require the involved vehicle be moved without marking the scene for diagram information. If this occurs, such action should be documented in the narrative of the report. Exigent circumstances may include, but not be limited to:**
  - 1. Severe weather, or**
  - 2. When public safety outweighs the need for a diagram.**
  - 3. If the crash does not involve injury, the officer may elect to record measurements in the narrative section of their report in lieu of a diagram.**
- D. If fire and/or hazardous materials are discovered to play an important role which could hamper the investigation, the policy covering hazardous material response will be followed. The crash investigation will become a secondary issue.**
- E. The Las Vegas Police Department utilizes two (2) traffic crash reports to investigate motor vehicle crashes which occur within the City limits.**
  - 1. State Uniform Crash Report**
  - 2. Self Report**

- F. Officers are required to locate witnesses and record their statements on the crash reports. Officers are also required to obtain driver statements.
- G. Items such as purses, wallets, jewelry, firearms and large sums of cash, shall be removed and placed into evidence for safe keeping (in accordance the evidence policy) when necessary or unless otherwise directed by a shift supervisor. If large sums of money are removed from the vehicle the two person rule will be in effect. The officer will attempt to have all personal property delivered back to the owner in a timely manner. If the officer has trouble contacting the owner the officer can request assistance from the evidence custodian.
- H. Vehicles which are disabled due to the traffic crash will be towed as authorized by the officer, the driver or registered owner. If authorized by the officer, a vehicle impound form will be attached to the crash report and a copy will be given to the towing service.

2. Crashes involving \$500.00 or more and injury

- A. Upon arriving at the scene of a crash if the investigating officer determines that the damage to the vehicles is over \$500.00 or an injury is reported, a State Crash Report Form will be completed.
- B. If both vehicles are still in their final resting positions upon officer(s) arrival, measurements of the crash scene will be taken and included in the crash report narrative. A diagram will be completed for all injury crashes when feasible.
  - 1. Included in this diagram will be:
    - a. the final resting positions of the vehicle(s) involved;
    - b. any fixed objects involved in the crash;
    - c. final resting positions of any pedestrians or bicyclists involved;
    - d. any other vehicles or fixed objects that might have contributed to the crash;
    - e. any physical evidence left on the roadway (skid marks, gouges. Scratches, yaws, debris, etc.); and
    - f. anything that might assist in a thorough and complete investigation of the crash.

3. Crashes involving uninsured motorists

- A. If, during the investigation, it is determined that an involved vehicle does not have proof of liability insurance and the vehicle is registered in New Mexico the following procedure should be followed:
  1. A citation will be issued to the driver for "No Insurance".
  2. The license plate will be removed from the vehicle. The plate will subsequently be turned in at the Office for return to the Department of Motor Vehicles.

3. The driver will be advised that the temporary permit is not an authorization to drive the vehicle without insurance. It is simply an authorization to drive while in the process of informing DMV that they either had or have secured insurance.
- B. If during the investigation you determine that an involved vehicle does not have proof of liability insurance, but the vehicle is registered in another state, enforcement action will be taken, however the license plate will not be removed.
- C. The enforcement action and subsequent removal of the license plate will be noted in the narrative of the report.

4. Private Property Crashes

- A. An investigation and report will be made on crashes occurring on private property in the following cases only; otherwise a Self Crash Report will be utilized.
  1. If there is injury as a result of the crash;
  2. If the motor vehicle collides with and damages a building; or
  3. When enforcement action is taken due to the fact a person was driving under the influence of intoxicants or reckless driving.
  4. Officer discretion.
- B. If both parties are present at the crash scene, the form will be completed. In the narrative section all comments should be from drivers and/or witnesses.
- C. Hit and run crashes on private property will be handled in the following manner.
  1. The words "Private Property" will be checked on the Self Crash Report and all known information will be listed on the form.
- D. Nothing in this section applies to the investigation of motor vehicle crashes which originate on public roadways and come to final position within the bounds of private property. Crashes of this nature will be handled as any on the road type crash.

5. Fatal Crash Investigation

- A. Once an officer arrives at the scene and it is determined that the crash is a fatal, the on duty supervisor will be notified along with the Commander On-Call. The on duty Supervisor will supervise all activities at the scene of a fatal crash. The supervisor will assign officers to perform tasks relating to the crash, and make notifications to the District Attorney's Office and OMI.

1. Once an officer arrives at the scene, the scene will be secured.
2. The Department's Crash Reconstructionist is called out to the scene. Other Investigations Division Personnel may be called out to assist if necessary.
3. Upon arrival of supervisor, all information that has been obtained prior to their arrival will be relayed to them.
  - a. If an officer has witness information this information will be given to the supervisor.
  - b. If possible, all witnesses will be held at the scene until they can be interviewed by the investigating officer(s).
  - c. If the witness has been allowed to leave, the officer receiving the information and statement from the witness will complete a supplemental report with the witness' statement.
4. The on duty patrol supervisor will ensure that there are enough units present at the scene to provide adequate crowd and traffic control. The scene will remain secure until released by the investigating officers.
5. The supervisor or his appointee will ensure that only necessary personnel are allowed into the scene.
6. The supervisor will be responsible for ensuring that the proper paper work is completed promptly.

B. The supervisor has the authority to call out additional units on any crash if in their judgment they feel additional units are needed.

6. Crashes involving City vehicles, Excluding Police Vehicles
  - A. Crashes involving city vehicles, other than police vehicles, will be investigated as previously mentioned in Section A-5 covering crashes.
  - B. If either the city employee or the other party involved in the crash is issued a citation they will be cited into Municipal Court or Magistrate Court.
  - C. The city employee will be responsible for completing a memorandum in reference to "damage to city / department vehicle".
  - D. The on duty Patrol Supervisor will be immediately advised of the crash, as well as the supervisor of the city employee involved and the City Safety Officer will be contacted and advised of the crash.

E. The investigating Officer shall have the City Safety Officer notified through the communications Center.

**7. Crashes on City Property**

- A. A State Crash Report will be completed on all crashes that occur on City property.
- B. Before enforcement action is taken the investigating officer will ensure that the statute/ordinance covers city owned property recalling that some violations can only occur on a street, highway or alley.

**8. Follow up Investigations**

- A. If a follow-up investigation is required for a reported crash, it is the responsibility of the original investigating officer. If information is obtained by a secondary officer, that officer will complete a supplemental report and ensure that a copy is forwarded to the original investigating officer. Any supplemental information should be documented as soon as the information becomes known.

**9. Traffic Engineering**

- A. The Department realizes the City of Las Vegas has access to a Traffic Engineer through the New Mexico Department of Transportation. This person can play an important role toward reducing traffic crashes in the City.
- B. Any suggested changes will be submitted in a memorandum, through the Chain of Command to the Chief of Police.

**10. Disturbances between involved parties**

- A. Occasionally responding officers may find involved parties of a crash engaged in a dispute. The resolution of this dispute should take precedence over the crash investigation. If necessary, additional officers should be requested in order to complete the investigation and resolve the disturbance as quickly as possible.

**11. Traffic Direction Procedures**

- A. In furtherance of public safety, it may be necessary for an officer to manually regulate the flow of traffic around crash scenes, fire scenes, other hazards on or near the roadway, or during special events. The purpose of manual traffic control is to insure an orderly flow of traffic, prevent congestion, and insure the safety of motorists and pedestrians.

1. Manual traffic direction is performed in emergency situations and at areas determined to be problem areas.
2. Officers actively involved in manual traffic direction shall wear issued reflective vests.
3. Uniform hand signals shall be utilized and whistle techniques may be used by officers to communicate understandable messages and directions to any driver or pedestrian on the roadway coming into or close to an area where an emergency situation, or any circumstance where officers are using manual traffic direction techniques.
  - a. Officers using manual traffic direction use open hand, stiff arm techniques for stopping traffic flow and continued traffic flow.
  - b. Officers may indicate traffic signals with whistles along with hand gestures using the following method. If whistle techniques are used a long continuous blast is used to stop approaching traffic. Two short blasts in rapid succession are used to precipitate the beginning of movement, the continuation of movement or to indicate a turning movement.

#### **B Special Events**

1. As supervisors become aware of special events such as parades, sporting events, etc., a contingency plan is prepared for traffic direction.
2. Contingency plans address the following factors:
  - a. Entry and exit of vehicular traffic
  - b. Parking facilities
  - c. Spectator control
  - d. Use of temporary traffic control devices

#### **C. Fire Scenes**

In the event of a fire or other emergency, police personnel direct traffic as conditions may require, in order to:

1. expedite or direct traffic flow
2. safeguard pedestrians and motorists
3. safeguard emergency personnel, emergency operations and equipment.

#### **D. Adverse Roads and Weather Conditions**

1. During periods of adverse weather and road conditions, officers provide traffic direction or assistance on an emergency basis, as needed.
2. If assistance is required from other City departments or agencies, on-call personnel for these departments are notified as soon as possible. A call list for these departments is maintained in the Communications Center allowing for 24 hours access. Officers maintain manual traffic direction until the roadway is safe for travel.

#### **12. Temporary Traffic Control Devices**

- A. Temporary traffic control devices such as portable stop signs, barricades, or traffic cones may be used at locations where traffic control is required responsibility for requesting these devices rests with the person in charge of the scene.
- B. The Department has authority to place and maintain temporary traffic control devices when necessary for regulating, warning, or guiding traffic on any public roadway.

#### **13. Emergency Escorts**

- A. Officers of this Department will not escort any vehicles, including ambulances, during an emergency.
- B. Officers will not block intersections for any vehicles, including ambulances, traveling Code 1.
- C. Officers will not transport any victims of sickness or injury in a police unit unless authorized by the shift supervisor in consideration of existing conditions, gravity of the situation, and nature of the emergency. Ambulance service will be called for persons in need of medical treatment.

#### **14. Funeral Escorts**

- A. The Las Vegas Police Department offers this service to the citizens of Las Vegas when possible. Due to the nature of funeral escorts, however, caution must be used to decrease the potential for crashes or mistakes.
- B. Upon arrival at the funeral, contact the director or agent to confirm which cemetery is being used.
- C. When the casket is moved from the building to the hearse, officers will stand at 'parade rest' if they are in the immediate area.

D. No officer of the Las Vegas Police Department shall exceed the posted speed limit while escorting a funeral.

E. No officer shall drive in any manner so as to endanger the public while on escort duty.

#### 15. Stranded Motorists

A. This order has been established to provide guidelines for providing general assistance to all persons utilizing highways and public thoroughfares. This includes giving information and direction, assisting motorists with stranded vehicles, taking action on highway hazards and dealing with hazardous materials. The intent of this order is to assist in providing for the safe and efficient flow of traffic and to ensure the public safety.

#### 16. Motorist Assistance

A. The Las Vegas Police Department does not respond to calls for motorist assists if the complaint is that keys are locked in vehicles or they can't start them. The only exception to this is if exigent circumstances exist (ie, small child locked inside). Motorists will be advised they should seek assistance through other means (i.e., private company, family, etc.).

B. The Las Vegas Police Department will contact a towing service for a stranded motorist. The motorists need to be told that this service will be paid for by them, the City does not pay the cost. The officer needs to request this assistance, along with the name of the requestor, and Communications will contact and dispatch a tow truck to the scene. The towing service utilized shall be at the choice of the requestor. If the vehicle is a traffic hazard, the officer should stand by until arrival of the towing service.

#### 17. Road Hazards

A. At any time when one of the below hazards exists, the officer shall request Communications personnel to notify the proper agency. The Patrol Officer needs to advise Communications personnel whether this hazard needs to be taken care of immediately or can wait until the beginning of the next business day.

1. Traffic light in need of repair (this includes light out or not working properly);
2. Traffic control device down (i.e., stop sign, yield sign, school crossing, etc.)
3. Electrical power lines;
4. Large debris in roadway (if after hours, try to remove to side of road if possible);
5. Breaks in water, gas or other utility mains;
6. Snow/Ice on roadway (to determine the need for some type of service);
7. Fire hazards needing attention;
8. Defects in the roadway;
9. Street light(s) out;
10. Dead animals/injured animals;

11. other perceived hazards.

**18. Emergency Assistance**

**A. First Aid**

1. In emergency medical situations, department personnel shall normally render only that degree of care necessary to sustain life, prevent or control shock, and/or prevent further harm based on each officer's level of training and abilities.
2. If first aid is necessary, the officer should radio for an ambulance to respond while rendering first aid.

**B. Fires**

1. The primary responsibility of the Las Vegas Police Department in responding to a fire call is the protection of life, traffic control and crowd control. In responding to a fire call, officers should be cognizant of where the fire is in relation to intersections, potential use of fire hydrants and fire lines in the roadway and should park accordingly.
2. Members of the Las Vegas Police Department have not been trained in fire fighting and do not carry the necessary equipment, aside from a small chemical extinguisher. Before attempting to fight a fire, officers should consider the safety hazards and potential for injury.

**19. Hazardous Materials**

**A. Hazardous Materials** are defined as those substances, which in quantity or form, constitute an unreasonable risk to the health and welfare of the public. They fall into the categories of gases, liquids, explosives, oxidizers, solids, corrosives, poisons, and radioactive materials. The primary responsibility of the Las Vegas Police Department at the scene of a Hazardous Material spill is containment, evacuation and/or crowd control.

**B. Duties of Dispatched Officer:**

1. From a safe distance, assess the situation, then request Communications personnel contact the Las Vegas Fire Department. They, in turn, will contact any other appropriate personnel.
2. Notify the on-duty supervisor of the situation.
3. Establish a safe perimeter around the scene using additional units as necessary.

**C. Duties of Shift Supervisor:**

1. Confer with the appropriate Fire Department personnel regarding evacuation of the area and establishment of a safe perimeter.
2. Ensure that involvement of police personnel within a contaminated area is minimized.

**20. Driving While Intoxicated.**

**A. The Department highly encourages officers to enforce Driving Under the Influence of Intoxicating Liquor or Drug statutes in order to remove persons suspected of driving under the influence of alcohol, or other substances, from public places. The procedures are intended to serve as guidelines in D.W.I. Enforcement.**

**B. Arrests**

1. Officers suspecting that the driver of a motor vehicle is under the influence of alcohol or other substance may take the following actions:
  2. Routine Traffic
    - a. Observe the suspect's driving behavior for a safe distance to determine reasonable suspicion or probable cause to stop the vehicle.
    - b. Stop the vehicle at a safe location for the protection of the suspect, officer, and any vehicular traffic.
    - c. Observe the suspect to determine if he might be under the influence. Once this is determined, request that the suspect take sobriety tests, which are described in the next section.
    - d. When it is determined that the person may be intoxicated (probable cause), the suspect should be placed under arrest.
    - e. The suspect's vehicle shall be towed, following the department policy. The vehicle may be released to a responsible person at the officer's discretion.
    - f. Transport the suspect to the San Miguel County Detention Center for booking and a breath test. If the person has indicated that he will submit to a breath test and the arresting officer is not certified to perform the breath test, a certified operator will be requested to perform the test.

- g. Advise the suspect of the Implied Consent Act, and request him/her to give a sample of his breath, blood, or both. If the suspect refuses, inform him of the consequences of refusing. If a substance other than alcohol is suspected, a blood test should be requested.
- h. If a blood test is requested, the person will be transported to the hospital and a blood kit approved by the New Mexico Department of Health shall be used. The process of withdrawing blood will be conducted in accordance with New Mexico statutes.

#### **C. Crash Investigations**

- 1. If there is probable cause that a driver involved in a crash is intoxicated, the same procedures apply as above with the following exceptions:
- 2. If injuries sustained in the crash are fatal, life-threatening or may result in great bodily harm, the Commander On-Call, the Crash Reconstructionsist and the on call district attorney will be contacted via telephone prior to any charges being filed.
- 3. If the driver sustained injuries which require hospitalization, the subject will be placed under arrest, if possible, a blood kit will be requested, any associated paperwork completed and arrangements made to release the subject OR
- 4. If the driver left the scene of a crash and is later located, no arrest should be made without giving consideration to the time lapse, witnesses and the suspect's location.

#### **21. Field Sobriety Testing**

- A. Standard Field Sobriety Tests (SFST's) shall be administered unless medical/age impairment exists or determined to be too dangerous due to a suspect's high intoxication level or other perceived danger. Alternative sobriety tests will be administered if SFST's are not appropriate.

#### **22. Required Paperwork for DWI**

- A. Arrest Report: An arrest report will be completed on each DWI arrest. The narrative section of the report should provide in detail the series of events that lead to the subject's arrest for DWI.
- B. DWI Citation: A DWI Citation and Officer's Statement, on a form approved by the State, will be completed on each DWI arrest.
- C. Criminal Complaint: A Criminal Complaint depending on the appropriate jurisdiction, will be completed on each DWI arrest. If this is a second or subsequent arrest, it must be annotated on the Criminal Complaint.

- D. Intoxilyzer Report: A copy is given to the suspect, a copy is attached to the MVD paperwork and a copy is attached to the arrest report and forwarded to Records division.
- E. Blood Kit Report: A Blood Kit Report, on a form approved by the State, will be completed on any DWI arrest where a sample of blood is drawn in addition to, or instead of, a breath sample.
- F. If the subject has a valid, current New Mexico Driver's License in their possession, and the BAC was over .08 for drivers 21 years of age or older (.02 for drivers under the age of 21), or if the test is refused, the driver's license will be confiscated. The 'Notice of Revocation' will be provided to the offender.

#### **23. Breath Testing Instrument Operation**

- A. Only officers that are certified to operate the breath testing instrument will perform any tests on subjects arrested for DWI.
- B. The subjects will be informed of the Implied Consent Act and a 20 minute deprivation period will be observed with no substances in their mouth.
- C. After the deprivation period time has expired, the subject will be requested to provide a sample of his breath, blood, or both. If the subject refuses, he will be advised of the consequences for refusing to submit to chemical testing of his breath, blood or both.
- D. If the subject agrees to provide a breath sample, the certified operator of the breath testing instrument will conduct the test in accordance with the rules and regulations established by the New Mexico Department of Health.
- E. After testing is completed, the subject will be provided with a copy of his results as soon as they are available to the officer.
- F. Officers will ensure that the required information is recorded in the Intoxilyzer Log Book.

#### **24. Blood Testing**

- A. The breath test is the most efficient and preferred manner of testing a subject's B.A.C., however, there are times when a blood test is preferred.
- B. If a subjects B.A.C. is low, and in the officer's opinion is not consistent with his/her apparent level of intoxication, the officer may choose to complete a blood test also to test for drugs.

- C. If the subject sustained injuries as a result of the crash and in all likelihood will not be able to perform a breath test, a blood test will be requested.
- D. If a blood test is requested, the person will be transported to a medical facility as needed and a blood kit approved by the New Mexico Department of Health shall be used. The process of withdrawing blood will be conducted in accordance with New Mexico statutes.
- E. When a blood test is used, the Notice of Revocation will not be forwarded to MVD but will be maintained in the approved location until the results are returned from the blood test. Once they have been received, the arresting officer should place a copy of the Notice of Revocation and the original test results in the Record's basket to be filed in the subject's arrest file.
- F. Once the subject has submitted to a test(s) of the officers choosing, the subject may request a test of their own for independent testing. If a blood test is requested, the following procedures will be used:
  1. The subject will be allowed to contact a physician or nurse of his/her choosing by phone to make arrangements to meet for the blood draw.
  2. A standard blood kit approved by the state will be used regardless of whom draws the blood.
  3. Once the blood is collected, the arresting officer will complete an evidence form and a letter to the independent laboratory (kept in the same location as blood kits) attach them to the blood sample and place in an evidence locker. The evidence technician will be called out so the blood sample can immediately be refrigerated.
  4. The arresting officer will complete and provide the suspect a copy of the evidence form as a receipt for the blood. The officer will advise the subject of their responsibility to advise the Department which independent laboratory they wish the sample to be sent to.
  5. The blood sample will be maintained in evidence at the Las Vegas Police Department for a minimum of 90 days. At the conclusion of that 90 day period, the arresting officer will obtain a disposition on the case.
    - a. If there has been a conviction and sentence has been imposed, the blood sample will be maintained for another 30 days following the sentencing date. Following this 30 day period, if an appeal has not been filed the blood sample will be destroyed. If an appeal has been filed, the sample will be maintained until a final disposition is determined.
    - b. If no disposition is available after the 90 day period the sample will be maintained until a final disposition is determined.

## **25. Sobriety Checkpoints**

**A. Sobriety checkpoints are an established means of deterrence and public education and have withstood constitutional scrutiny when properly implemented. The effectiveness of a checkpoint should be measured by the reduction of alcohol related crashes and not simply by the number of persons arrested as a result of a checkpoint.**

### **B. Guidelines for Checkpoints**

**1. The requirements surrounding Las Cruces V. Betancourt will be adhered to during any checkpoint operation.**

**2. Role of supervisory personnel:**

**a. The selection of the site and procedure for conducting it must be made and established by supervisory law enforcement personnel rather than officers in the field. This is essential to reduce the possibility of improper, unbridled discretion of the officers who meet and deal with the motoring public.**

**3. Restrictions – no discretion of field officers:**

**a. It is important that the discretion of field officers be restricted. Automobiles should not be stopped randomly, it would be improper to stop every automobile. It is wise to instruct officers orally and in writing on uniform procedures to be utilized when stopping motorists. As nearly as possible, each motorist should be dealt with in precisely the same manner.**

**4. Safety:**

**a. The safety of the motoring public and the field officer should also be given proper consideration. Safety measures aimed at warning approaching traffic, the degree to which the roadblock causes traffic congestion and whether the roadblock is set up on such a way so as to put the motoring public and officers in unnecessary peril.**

**5. Reasonable Location:**

**a. The location of the roadblock is significant in determining the degree of intrusiveness and safety of the public and police. It will also impact on the deterrent effect of the sobriety roadblock and its detection value. Obviously, a location chosen with the actual intent of stopping and searching only a particular group of people, i.e., Hispanics, blacks, etc., would not be tolerated.**

**6. Time and duration:**

- a. This factor also bears on the intrusiveness and effectiveness of the roadblock. Reasonableness is the standard. For example, sobriety checkpoints established during the late evening hours on a weekend may be reasonable to detect drunk drivers, while continuing the roadblock through Monday morning during rush hour might not be reasonable.

7. Indicia of official nature of the roadblock:

- a. The official nature of the roadblock should be immediately apparent. Officers in the field should be uniformed; police cars should be marked; and warning or stop signs, flares and pylons are advisable.
- b. The roadblock scene should strike an appropriate balance to provide for high visibility at the roadblock, yet minimize the potential fear and apprehension to the public. In addition to being important for safety reasons, these indicia will reassure motorists that the stop is duly authorized.

8. Length and nature of detention:

- a. The average length of time that a motorist is detained at the roadblock and the degree of intrusiveness should be minimized. This will avoid lengthy delays and traffic congestion. Initially, motorists should be detained only long enough to be informed of the purpose of the stop and to look into the vehicle for signs of intoxication. Where facts within the observation of the officer warrant further investigation, the suspected motorists should be asked to pull into a separate testing area so as not to unreasonably inhibit the flow of traffic

9. Advance publicity:

- a. The deterrence value of any roadblock and its reasonableness for sobriety checks will be enhanced if given widespread publicity when possible.

C. Site Selection and Safety Considerations

1. Selection of sobriety checkpoint sites must consider the safety of the public and all Las Vegas Police personnel involved in the operation. Locations selected must have maximum visibility to traffic from both directions with adequate safety lighting. In addition, sufficient adjoining space must be available to pull the suspect's vehicle off the roadway for further inquiry and testing if reasonable suspicion of DWI is developed. Alternate sites will be selected in the event that primary areas are unavailable. In order to conduct a sobriety checkpoint.

- a. The decision to set up a sobriety checkpoint, selection of the site, and procedures for conducting the checkpoint must be made, established and approved by the

Chief or Division Commander prior to each checkpoint operation.

2. To insure maximum safety precautions for the public and enforcement personnel, a sufficient number of warning signs, portable lights, traffic cones, and police cars with warning lights flashing should be utilized. Signs should be strategically placed to alert motorists of the approaching checkpoint. Two or more signs will be used, the first sign can read "SOBRIETY CHECKPOINT," or "SOBRIETY CHECKPOINT AHEAD," and be placed at a safe distance before the checkpoint; the second sign can read "SLOW – STOP AHEAD." The portion of the roadway designated for further inquiry concerning suspicious DWI motorists or other violations (the holding area) must be well lit and of relatively level ground to conduct field sobriety tests.
3. All the equipment necessary should be readily available at the checkpoint site. Please note that reflective vests are to be worn by all Officers during the entire operation. All officers involved WILL be uniformed. A minimum of 4 fully marked police vehicles No unmarked vehicles will be utilized during a checkpoint operation. Those officers assigned that do not have marked units shall make prior arrangements beforehand to use a marked unit.
4. An appropriate number of Officers must be assigned to the checkpoint location – a minimum of five Officers is required One supervisor must be present to make supervisory decisions and to insure that detained motorists are not delayed more than a reasonable time. Assistance from other agencies can be solicited; however, all participating Officers should be thoroughly briefed on these procedures
5. Notice to Public/Media
  - a. The publicity that precedes this operation serves to educate and inform the public of our enforcement efforts. The media attention is aimed at deterring the potential DWI offender. Advance notice to the public must be made when possible. The date of the intended checkpoint is to be announced without disclosing the precise location. The specific media utilized should depend on local availability.

## 26. Operational Procedure

**A. EVERY VEHICLE IS TO BE STOPPED.**

- B. The driver, primarily, is to be questioned since driving while under the influence of intoxicating alcohol or drugs is the purpose for the checkpoint. The following is the recommended dialog: Good Evening Sir/Madam, I am Officer \_\_\_\_\_ of the Las Vegas Police Department. This is a sobriety checkpoint. May I see your Drivers License, Registration and proof of Insurance? Have you consumed any alcohol or drugs this evening? In addition, an officer may question the driver and any occupants regarding any possible open container violations. (SEE NMSA 1978, SECTIONS 66-8-138, 139 (CUM. SUPP. 1993.)**
- C. The vehicle is to be detained for no more than approximately three minutes, unless reasonable suspicion exists that the driver is operating the vehicle while intoxicated or that another crime or violation has been committed by any occupant of the vehicle.**
- D. The occupants of the vehicle are to be told the purpose of the stop.**
- E. If traffic begins to back up creating traffic congestion, all of the stopped vehicles are to be waved through.**
- F. a driver will be allowed to continue after the initial stop unless the Officer develops, by observation, a reasonable suspicion that the driver is under the influence or that another crime or violation has been committed by any occupant of the vehicle. A driver will also be allowed to execute a legal U-turn at an established crossover prior to entering the checkpoint area, unless the officer develops, by observation, a reasonable and articulable suspicion that which would justify an investigatory stop.**
- G. A typical checkpoint should last no longer than necessary to achieve its stated purpose.**
- H. Upon completion of a checkpoint operation, or soon thereafter, the Supervisor will note the checkpoint activity and he or she will forward the reports to the Traffic Safety Grants Administrator, and Chief's Office, for processing of overtime payment and statistical reporting.**
- I. No deviations of these procedures are allowed without the express permission of the field supervisor. Any deviations are to be fully documented by the checkpoint supervisor.**

**27. Towed Vehicles**

**A. The procedures outlined in this order are intended to guide officers in making decisions to tow vehicles.**

**B. Wrecker Service:**

1. Requests for wrecker service by any member of this department acting in an official capacity shall be restricted to the wrecker on call in accordance with the wrecker rotation schedule unless the owner or operator of the vehicle to be towed request a wrecker from a specific company, if this is the case it shall be notated in the CAD.

**C. When vehicles may be towed:**

1. If feasible, in all cases the vehicle will be secured, parked and left at the scene, however the responding or arresting officer shall have the authority to remove any vehicle from any location within the city, when:
2. Such vehicle has been found to be in violation of any city ordinance, which requires the towing and removal of such vehicle.
3. The driver of the vehicle has been found to be incapacitated by the use of alcohol or drugs and the driver is arrested, and the vehicle cannot be secured, parked, and left at the scene.
4. The vehicle is abandoned, wrecked, or vandalized, or it is parked in such a manner as to cause a traffic hazard.

**D. Owner/operator options:**

1. The owner/operator of a vehicle may select a wrecker of his/her choice or to release his vehicle to a qualified driver present at the scene to legally park the car.
2. The owner/operator of the vehicle may exercise one of the above options, following a determination by the arresting officer that the suspect is capable of making a rational decision, the suspect is physically able, and the vehicle is not needed as evidence of a crime.
3. The arresting officer will explain to the suspect that the Las Vegas Police Department is not responsible for the vehicle or its contents once the vehicle has been legally parked and secured.

**E. Towing Requirements**

1. Members or employees will not request wrecker service for vehicles abandoned on private property unless such vehicle is needed for evidence purposes involving a criminal offense.
2. The officer who authorizes the towing of a vehicle for any reason will complete a towing report and include the towing information in the offense report, which must be written to describe the incident precipitating the towing.
3. The towing information required in the offense report is:
  - a. Reason for towing.
  - b. If a hold had been placed on vehicle and for what reason.
  - c. Name, address and telephone number of the person the vehicle was released to if the vehicle is not towed or parked.
4. Wrecker will be cancelled only under extreme circumstances including, but not limited to, the following:
  - a. Wrecker does not arrive within 15 minutes.
  - b. The wrecker is not properly equipped for the job.

#### **F. Inventory upon impound**

An inventory will be made of the property in a vehicle to be towed. Only the ignition key will be left in the vehicle. All other keys will be removed and be given to the driver, or placed in his/her property.

#### **G. Vehicles involved in crashes**

1. Vehicles involved in crashes will be towed when:
2. The driver/owner has been taken from the scene due to injuries or illness and the vehicle cannot be released to a qualified driver nor legally parked.
3. The vehicle is causing a traffic obstruction and cannot be driven from the scene because of damage, or it is inoperable.
4. The driver/owner requests a wrecker.
5. The vehicle is needed for evidence of a crime.
6. The driver has been arrested for Driving While Intoxicated and the car cannot be released to a qualified driver nor legally parked.

7. If the owner of a recovered stolen vehicle cannot be contacted.
8. The vehicle requires further examination as a result of a fatal or serious injury accident.
9. If the vehicle is left at the scene, the location of the vehicle will be included in the offense report. The vehicle keys, along with a note indicating the location of the vehicle, will be placed in the driver's personal property

H. Vehicles towed for evidentiary purposes:

1. Vehicles will not be towed to the police station to be processed for evidence unless requested by Investigators or authorized by a supervisor.
2. Vehicles towed, as evidence will have a hold placed on them by the towing officer. Vehicles to be processed by investigators will be towed by requested wrecker. The towing officer will immediately contact investigators and advise them of the towing and need for processing.
3. Vehicles belonging to the victims of crime which need to be processed for evidentiary purposes:
  - a. Shall be processed at the scene whenever practical.
  - b. Shall be towed, if necessary by requested wrecker whenever possible.
  - c. The Department shall withhold expenses incurred in towing and victim's car needed for evidentiary purposes to the police station only; that is, the Department shall not pay for the commercial wrecker used to tow the victim's car away from the police station after the processing.

I. Vehicles believed to be abandoned

1. upon observing a possible abandoned vehicle:
2. Make stolen vehicle inquiry.
3. Check if vehicle is violating parking restrictions.
4. Obtain a license plate reading and attempt to contact the owner and have him remove the vehicle.
5. If the owner cannot be contacted or refuses to move the vehicle, a police report will be made and referred to city code enforcement officers.

6. Motorcycles with altered, mutilated or no vehicle identification numbers are to be towed in the same manner as other motor vehicles.

**J. Vehicle holds**

1. Officers will only place holds on vehicles under the following circumstances:
2. The vehicle has been impounded lawfully and the owner or operator cannot produce satisfactory proof of ownership. In this case, the impounding officer will write on the impound form "Hold for Proof of Ownership." The officer will authorize the wrecker service to release the vehicle upon production of satisfactory proof of ownership.
3. The vehicle has been impounded for evidentiary purposes and the officer or investigators anticipate obtaining a warrant for the vehicle. In this case, a search warrant must be obtained in a timely manner. After execution of the warrant, the officer or investigator shall release the vehicle if it is no longer needed as evidence.

**VII. ATTACHEMENTS**

- A. State Crash Report Form
- B. Self Crash Report Form
- C. DWI Citation
- D. Tow Authorization Form



REPORTING DEPARTMENT																					
<input type="checkbox"/> ON PRIVATE PROPERTY <input type="checkbox"/> FATAL INJURY <input type="checkbox"/> PROPERTY DAMAGE ONLY <input type="checkbox"/> UNDER \$500 <input type="checkbox"/> \$500 OR MORE <input type="checkbox"/> HIT AND RUN			Case Number: <b>NMDOT:</b>			CAD Num:															
CRASH DATE (MM/DD/YY)			MILITARY TIME			CITY OCCURRED IN			COUNTY												
Day	M	Tu	W	Th	F	S	OCCURRED ON: (Route No. or Name)			AT INTERSECTION WITH:											
OTHER LOCATION		<input type="checkbox"/> FEET <input type="checkbox"/> MILES		<input type="checkbox"/> N <input type="checkbox"/> NE <input type="checkbox"/> NW <input type="checkbox"/> S <input type="checkbox"/> SE <input type="checkbox"/> SW <input type="checkbox"/> E <input type="checkbox"/> W		PERMANENT LANDMARK - COUNTY LINE - INTERSECTION - MILEPOST															
CRASH OCCURRED		<input type="checkbox"/> On Roadway <input type="checkbox"/> Off Roadway		CRASH CLASSIFICATION		<input type="checkbox"/> Overturned <input type="checkbox"/> Other N-Coll <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other Vehicle <input type="checkbox"/> Vehicle on Other Hwy <input type="checkbox"/> Parked Vehicle		<input type="checkbox"/> Rollover <input type="checkbox"/> R. R. Train <input type="checkbox"/> Pedalcyclist <input type="checkbox"/> Animal <input type="checkbox"/> Fixed Object <input type="checkbox"/> Other Object		ANALYSIS CODE:											
VEHICLE NO. HEADED	1	N	NE	NW	S	SE	SW	E	W	On:	Left Scene of Crash <input type="checkbox"/> Yes <input type="checkbox"/> No	Posted Speed	Safe Speed								
Driver's Full Name (Last, First, Middle)												Address									
Driver's License Number			State	Type	Status	Restrictions	Endorsements	Expires	City/State		Zip Code	Phone									
Date of Birth - MDY/VR					Occupation					Seat	Age	Sex (M/F)	Race	Employ Code	Op Date	Off Hand Priority	Abiding Duty	Ejected	Implied	Seat Belts Worn	
Seat Pos.	Occupant's Name (Last, First, Middle)				Occupant's Address (City, State, Zip)																
Vehicle Yr.   Vehicle Make   Color   Body Style   Cargo Body Type   Vehicle Use (1)   Vehicle Use (2)   Towed?												Damage Severity		Extent							
License Yr.		State		License Plate Number		VIN		<input type="checkbox"/> Yes <input type="checkbox"/> No Towed due to disabling damage? <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Heavy <input type="checkbox"/> Moderate <input type="checkbox"/> Slight <input type="checkbox"/> None <input type="checkbox"/> Unknown <input type="checkbox"/> All Areas		<input type="checkbox"/> Disabled <input type="checkbox"/> Functional <input type="checkbox"/> Appearance <input type="checkbox"/> Property <input type="checkbox"/> Fire <input type="checkbox"/> None		<input type="checkbox"/> Top <input type="checkbox"/> Undercarriage							
DOT #		Interstate Carrier Code		Towed By		Towed To															
Number of Axles	Vehicle Weight Rating/Gross Combination Weight Rating		Hazard Placard		Hazard Placard 4 digit #		OR Hazmat Name		AND		1 digit #		Hazmat Released? <input type="checkbox"/> Yes <input type="checkbox"/> No								
Carrier's Name												Carrier's Address									
Carrier's Zip																					
Owner's Name			Owner's Company Name			Owner's Address						Owner's Zip		Owner's Telephone							
Insured By: (Name of Company)		Policy Number				Trailer or Towed Vehicles (1)		Type	Year	Make	License Yr.	License State	License Number								
Trailer or Towed Vehicles (2)		Type	Year	Make	License Yr.	License State	License Number	Trailer or Towed Vehicles (3)	Type	Year	Make	License Yr.	License State	License Number							
Vehicle No. HEADED	2	N	NE	NW	S	SE	SW	E	W	On:	Left Scene of Crash <input type="checkbox"/> Yes <input type="checkbox"/> No	Posted Speed	Safe Speed								
Driver's Full Name (Last, First, Middle)												Address									
Driver's License Number			State	Type	Status	Restrictions	Endorsements	Expires	City/State		Zip Code	Phone									
Date of Birth - MDY/VR					Occupation					Seat Pos.	Age	Sex (M/F)	Race	Employ Code	Op Date	Off Hand Priority	Abiding Duty	Ejected	Implied	Seat Belts Worn	
Seat Pos.	Occupant's Name (Last, First, Middle)				Occupant's Address (City, State, Zip)																
Vehicle Yr.   Vehicle Make   Color   Body Style   Cargo Body Type   Vehicle Use (1)   Vehicle Use (2)   Towed?												Damage Severity		Extent							
License Yr.		State		License Plate Number		VIN		<input type="checkbox"/> Yes <input type="checkbox"/> No Towed due to disabling damage? <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Heavy <input type="checkbox"/> Moderate <input type="checkbox"/> Slight <input type="checkbox"/> None <input type="checkbox"/> Unknown <input type="checkbox"/> All Areas		<input type="checkbox"/> Disabled <input type="checkbox"/> Functional <input type="checkbox"/> Appearance <input type="checkbox"/> Property <input type="checkbox"/> Fire <input type="checkbox"/> None		<input type="checkbox"/> Top <input type="checkbox"/> Undercarriage							
DOT		Interstate Carrier Code		Towed By		Towed To															
Number of Axles	Vehicle Weight Rating/Gross Combination Weight Rating		Hazard Placard		Hazard Placard 4 digit #		OR Hazmat Name		AND		1 digit #		Hazmat Released? <input type="checkbox"/> Yes <input type="checkbox"/> No								
Carrier's Name												Carrier's Address									
Carrier's Zip																					
Owner's Name			Owner's Company Name			Owner's Address						Owner's Zip		Owner's Telephone							
Insured By: (Name of Company)		Policy Number				Trailer or Towed Vehicles (1)		Type	Year	Make	License Yr.	License State	License Number								
Trailer or Towed Vehicles (2)		Type	Year	Make	License Yr.	License State	License Number	Trailer or Towed Vehicles (3)	Type	Year	Make	License Yr.	License State	License Number							
Crash Report Number					STATE OF NEW MEXICO UNIFORM CRASH REPORT											SHEET					
Case Number					NM Statute 66-7-209 NMDOT COPY											OF SHEETS					

# LAS VEGAS POLICE DEPARTMENT

INSTRUCTIONS FOR COMPLETING CITIZEN'S  
CITIZEN'S MOTOR VEHICLE ACCIDENT REPORT  
\*\*\* FOR PRIVATE PROPERTY, MINOR INJURY, AND HIT AND RUN REPORTS ONLY \*\*\*

## USE BLACK INK ONLY

1. **READ THIS SHEET FULLY BEFORE YOU BEGIN. FOLLOW THESE DIRECTIONS.**
2. On the very top of the form, you **MUST** mark if the box that applies.
3. Complete the front page with as much as information as you have. **READ THE FORM CAREFULLY, FILL IN AS MANY BOXES AS YOU CAN. PRINT SO THAT YOUR INFORMATION CAN BE READ.** Remember, more is better. A complete and accurate report will help you. Taking shortcuts only hurt you.
4. ON the "VEHICLE No. 1" section: THE **DRIVER AT FAULT** SHOULD BE LISTED HERE. IF THERE IS A DISAGREEMENT WITH WHO IS AT FAULT, LIST EITHER DRIVER AND MENTION THIS IN THE NARRATIVE. **COMPLETE AS MUCH INFORMATION AS YOU CAN IN THIS SECTION.** \* The codes for the seat belt box and injury boxes are on the bottom right hand side.
5. ON the "VEHICLE No. 2" section: THE **DRIVER NOT AT FAULT** SHOULD BE LISTED HERE. IF THERE IS A DISAGREEMENT WITH WHO IS AT FAULT, LIST EITHER DRIVER AND MENTION THIS IN THE NARRATIVE. **COMPLETE AS MUCH INFORMATION AS YOU CAN IN THIS SECTION.** \* The codes for the seat belt box and injury boxes are on the bottom right hand side. \*\* IF THERE ARE MORE THAN TWO VEHICLES, USE ANOTHER REPORT FORM. CROSS OUT THE "No 1" AND WRITE "3" AND SO ON.
6. ON the "Injured," "Other Property Involved" and "Witness" Sections: List as much information as possible.
7. TURN THE REPORT FORM OVER AND COMPLETE THE BACK PAGE. CHECK ALL THE BOXES THAT APPLY.
8. ON ALL THE SECTIONS WITH TWO COLUMNS OF BOXES NEXT TO EACH OTHER, MARK the box that applies. The first column is for VEHICLE No. 1, and the second is for VEHICLE No. 2.
9. All reports REQUIRE A DIAGRAM. Draw what happened as best as you can.
10. All reports REQUIRE A NARRATIVE. In your own words, write what happened.
11. Once you have completed the report, **PRINT AND SIGN YOUR NAME IN THE BOX MARKED "OFFICER."** BE SURE TO DATE THE REPORT.

ATTACHED IS AN EXAMPLE OF A REPORT, USE THIS AS A GUIDE. NOTICE THAT SOME BOXES ARE BLACKED OUT. YOU DO NOT COMPLETE THOSE BOXES.

You HAVE UP TO FIVE (5) WORKING DAYS TO FILE A REPORT. You may complete it immediately or you may take it home and complete it. After you have completed the report, bring it or mail it to: LAS VEGAS POLICE RECORDS, 318 MORENO STREET, LAS VEGAS, NEW MEXICO 87701. Records will issue a case number and record the report. You can pick up a copy in 3 to 5 working days. IF YOU HAVE ANY QUESTIONS, Contact the records section at the Las Vegas City Police Department for assistance.

**WORKING WITH OUR COMMUNITY**

INVESTIGATOR  
SH. KATHY  
REVISER  
JUNE 1997

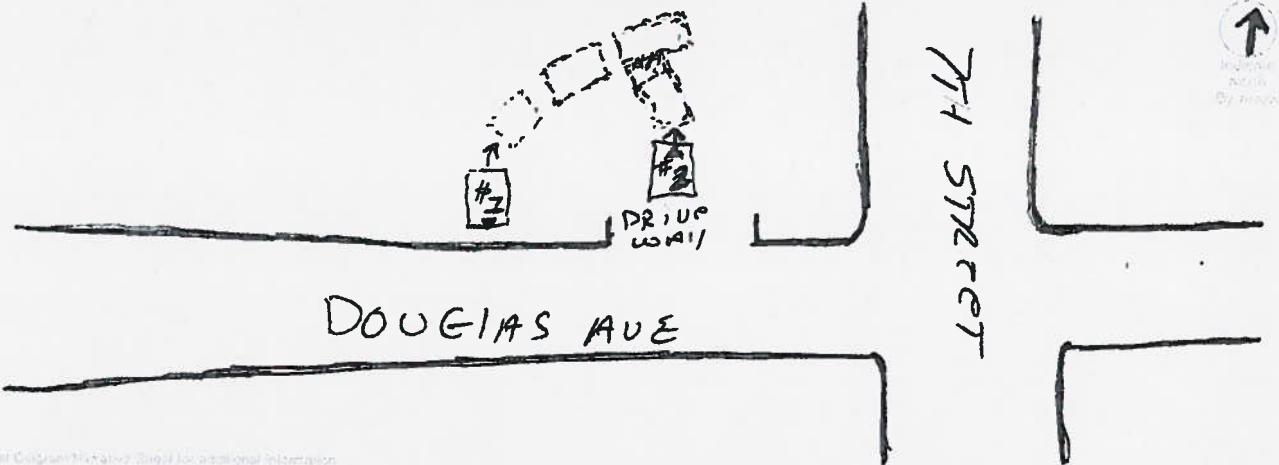
119451

STATE OF NEW MEXICO  
UNIFORM ACCIDENT REPORT

<input checked="" type="checkbox"/> ON PRIVATE PROPERTY <input type="checkbox"/> FATAL <input type="checkbox"/> INJURY      REPORTING DEPARTMENT DATE OF ACCIDENT      MILITARY TIME      CITY OCCURRED IN      COUNTY      SHEET MO. <u>8</u> DAY <u>8</u> YR. <u>98</u> 10:00 LAS VEGAS SAN MIGUEL OF <u>1</u> SHEETS		<input type="checkbox"/> PROPERTY DAMAGE ONLY <input type="checkbox"/> UNDER \$500 \$500 OR MORE <input type="checkbox"/> HIT AND RUN										
				SUN M T W T F SAT OCCURRED ON <u>ROUTE NO. 101</u> <u>X</u> SEVENTH STREET AT INTERSECTION WITH: OTHER FEET PERMANENT LANDMARK-COUNTY LINE-INTERSECTION LOCATION MILES N S E W OF: NOT NEEDED IN CITY LOCATION FEET N S E W OF MILEPOST NO: NOT NEEDED IN CITY ACCIDENT <input type="checkbox"/> On Roadway      ACCIDENT <input type="checkbox"/> Overturned <input type="checkbox"/> Other N-Coll. <input type="checkbox"/> Pedestrian <input checked="" type="checkbox"/> Other Vehicle <input type="checkbox"/> Vehicle On Other Rdwy OCCURRED <input checked="" type="checkbox"/> Off Roadway      CLASSIFICATION <input type="checkbox"/> Parked Veh. <input type="checkbox"/> R.R. T-sht <input type="checkbox"/> Pedalcycles <input type="checkbox"/> Animal <input type="checkbox"/> Fixed Object <input type="checkbox"/> Other Object								
VEHICLE NO. 1 HEADED <u>X S E W</u> ON: OLD SAFEWAY PARKING (ADDRESS) Driver's Full Name: <u>JOE T. BACKER</u> Address: <u>LAS VEGAS, NM 1234 96TH STREET</u> Driver License Number: <u>121231234</u> State: <u>NM</u> Type: <u>OPER.</u> Restrictions: <u>NEED GLASSES</u> Seat Position Code: <table border="1"><tr><td>LA</td><td>LF</td><td>7</td></tr><tr><td>CR</td><td>CF</td><td></td></tr><tr><td>RR</td><td>RF</td><td>OTHER</td></tr></table> Social Security Num.: <u>060-00-0000</u> Occupation: <u>FARM WORK</u>		LA	LF	7	CR	CF		RR	RF	OTHER	Posted Speed: <u>—</u> Safe Speed: <u>—</u> Zip Code: <u>87701</u> Phone: <u>425-0000</u> Expires: <u>01/20/99</u> Date of Birth: <u>Mo. 01 Day 01 Yr. 70</u>	
LA	LF	7										
CR	CF											
RR	RF	OTHER										
3. TURN OVER AND COMPLETE REVERSE SIDE.	Vehicle Yr. <u>95</u> Vehicle Make: <u>FORD</u> Color: <u>BLUE</u> Body Style: <u>2 DOOR</u> Removed To: <u>1234 96TH ST. LAS VEGAS, NM</u> License Yr. <u>98</u> State: <u>NM</u> License Number: <u>AAA-135</u> US DOT/ACC/SCC Numbers: <u>VIN 12C94L294644</u> Removed By: <u>DRIVER</u> Owner's Name: <u>JOE &amp; MARY BACKER</u> Owner's Address: <u>1234 96TH ST. LAS VEGAS, NM</u> Zip Code: <u>87701</u> Insured By (Name of Company): <u>INSURE ALL INS. CO</u> Policy Number: <u>24-349P</u> Liability Insurance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      VEHICLE DAMAGE: <input type="checkbox"/> HEAVY <input type="checkbox"/> SLIGHT <input type="checkbox"/> MODERATE <input type="checkbox"/> NONE											
	VEHICLE NO. 2-PEDESTRIAN HEADED <u>N S X W</u> ON: OLD SAFEWAY PARKING (ADDRESS) Driver's or Pedestrian's Full Name: <u>ENRIQUE PARKER</u> Address: <u>4321 69TH ST. LAS VEGAS, NM</u> Driver License Number: <u>432132121</u> State: <u>NM</u> Type: <u>OPEN</u> Restrictions: <u>WEAR CONTACTS</u> Seat Position Code: <table border="1"><tr><td>LA</td><td>LF</td><td>7</td></tr><tr><td>CR</td><td>CF</td><td></td></tr><tr><td>RR</td><td>RF</td><td>OTHER</td></tr></table> Social Security Num.: <u>111-11-1111</u> Occupation: <u>CAR SALES</u>		LA	LF	7	CR	CF		RR	RF	OTHER	Posted Speed: <u>—</u> Safe Speed: <u>—</u> Zip Code: <u>87701</u> Phone: <u>454-1111</u> Expires: <u>02/01/99</u> Date of Birth: <u>Mo. 02 Day 02 Yr. 71</u>
LA	LF	7										
CR	CF											
RR	RF	OTHER										
4. REMOVE CARBON AND TISSUE PAPER.	Vehicle Yr. <u>97</u> Vehicle Make: <u>CHEV</u> Color: <u>BLACK</u> Body Style: <u>4 DOOR</u> Removed To: <u>4321 69TH ST. LAS VEGAS</u> License Yr. <u>98</u> State: <u>NM</u> License Number: <u>BBB-246</u> US DOT/ACC/SCC Numbers: <u>VIN UNIC</u> Removed By: <u>Driver</u> Owner's Name: <u>ENRIQUE PARKER</u> Owner's Address: <u>5916 61ST ST. LAS VEGAS, NM</u> Zip Code: <u>87701</u> Insured By (Name of Company): <u>ALL COUNTRY INS.</u> Policy Number: <u>33-964B-9</u> Liability Insurance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      VEHICLE DAMAGE: <input type="checkbox"/> HEAVY <input type="checkbox"/> SLIGHT <input type="checkbox"/> MODERATE											
	INJURED First Aid Rendered By: <u>DM NOT NEEDED</u> Injured Taken To: <u>—</u> By: <u>—</u> OTHER PROPERTY INVOLVED: <u>Light pole</u> Description of Property and Damage: <u>—</u> Owner Phone: <u>—</u>		INJURY CODES K- Killed 1- Head      1G Neck 2- Chest      1A Other A- Incapacitated-Carried From Scene A1 Head      A2 Neck A2 Chest      A3 Arms/Legs A3 Back B- Visible Injury B1 Head      B2 Neck B2 Chest      B3 Arms/Legs B3 Back C- Complaint-No Visible Injury C- No Apparent Injury									
5. COMPLETE FRONT OF FORM.	WITNESS Name: <u>WITNESS NAME &amp; INFO</u> Age: <u>—</u> Address: <u>—</u> Telephone: <u>—</u>		RESTRAINT CODES 1. Restraints - Not Installed 2. Restraints - Not Used 3. Lap Belt - Used 4. Shoulder Harness - Not Used 5. Shoulder Harness - Used 6. Belt & Harness - Used 7. Ejected From Vehicle 8. Child Restraint Device A. Used Properly B. Not Used C. Used Improperly 9. Airbag Deployed A. Other Restraints Not Used B. Other Restraints Used									

ISSUING AGENCY COPY

JOE T. BACKER



See Supplemental Content at [www.jgim.org](http://www.jgim.org) for additional information.  
INTERACTIVE (located how section occurs).

I WAS BACKING OUT OF A PARKING SPOT AT  
THE OLD SAFEWAY PARKING LOT. THE OTHER CAR  
CAME INTO THE DRIVEWAY FROM DOUGLAS AND TURNED  
RIGHT INTO ME.

1235611 9

## ABSTRACT OF RECORD

COURT DOCKET NO.		
HEARING DATE	COUNSEL REQUESTED <input type="checkbox"/> COUNSEL WAIVED	
COUNSEL NAME		
ADDRESS		
CITY STATE ZIP CODE		
PLEA OF DEFENDANT <input type="checkbox"/> NOLO <input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY		
COURT FINDING: <input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> DISMISSED		
<input type="checkbox"/> NOLLE PROSEQUI		
SENTENCE OF COURT: <input type="checkbox"/> FINE \$ _____		Suspended Amt: \$ _____ (IF ANY)
<input type="checkbox"/> JAIL. DAYS		Suspended Days _____ (IF ANY)
LAB FEES	BOND FORFEIT	COSTS
\$	\$	\$
REMARKS <input type="checkbox"/> DWI SCHOOL		
THIS IS A CORRECT ABSTRACT OF COURT ACTION FOR DEFENDANT AND OFFENSE SHOWN.		
SIGNATURE OF MAGISTRATE OR JUDGE		
PRINTED NAME OF MAGISTRATE OR JUDGE		
NAME OF COURT	DATE	
ADDRESS	POST OFFICE	
DISTRIBUTION		
OFFICER TO FORWARD THIS COPY TO THE COURT, COURT TO COMPLETE ABSTRACT OF RECORD ABOVE AND MAIL THIS COPY TO THE MOTOR VEHICLE DIVISION, DRIVER SERVICES BUREAU, DWI SECTION, P.O. BOX 1028, SANTA FE, NEW MEXICO 87504-1028.		
ABSTRACT COPY		

DRIVER INFORMATION	STATE OF NEW MEXICO										MICROFILM NUMBER, DO NOT WRITE, STAPLE OR PUNCH ABOVE THIS LINE									
	COUNTY OF: _____										COUNTY CODE: _____									
	CITY OF: _____										DWI CITATION									
	NAME (LAST) _____										(FIRST) _____									
	ADDRESS _____										M.V.D. 10811 REV. 04/05									
	CITY _____ STATE _____ ZIP CODE _____																			
	DRIVER LICENSE NUMBER					STATE		EXPIRES			CLASS ENDORSEMENTS									
	DATE OF BIRTH					AGE	SEX	HEIGHT	WT	SOCIAL SECURITY NUMBER										
	COLOR					YEAR	MAKE/MODEL			TYPE		STATE		LICENSE PLATE NUMBER						
	COND.		TRAFFIC			WEATHER			ROAD			LIGHT			ACCIDENT					
LT		MED	HV	CL	FG	RN	SN	DST	D	W	I	S	LT	DS	DK	YES	NO			
CMV		<input type="checkbox"/> YES <input type="checkbox"/> NO			PASSENGER (16 OR MORE)			<input type="checkbox"/> YES <input type="checkbox"/> NO			HZ MT			DOT NUMBER						
THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING:																				
<input type="checkbox"/> 66-8-102 NMSA 1978 <input type="checkbox"/> STATUTE OR <input type="checkbox"/> ORDINANCE & SECTION: _____																				
COMMON NAME OF OFFENSE: <i>Driving Under the Influence of Intoxicating Liquor or Drug</i>																				
ON _____ 20_____ AT _____ HRS _____ DAY DATE MILITARY TIME LOCATION																				
MILEPOST OR NEAREST INTERSECTION _____																				
DISTRICT: _____																				
ESSENTIAL FACTS: _____																				
PRINTED OFFICER'S NAME _____ BLOOD ALCOHOL CONCENTRATION _____																				
OFFICER'S SIGNATURE _____ I.D. NO. _____ SHIFT _____ CURRENT DATE _____																				
COURT INFO YOU ARE TO APPEAR IN <input type="checkbox"/> MAGISTRATE <input type="checkbox"/> MUNICIPAL <input type="checkbox"/> METROPOLITAN <input type="checkbox"/> OTHER: _____ COURT ADDRESS _____																				
ON OR BEFORE _____ 20_____ AT _____ AM _____ PM _____																				

1235611 9

State of New Mexico  
Taxation & Revenue Department  
MOTOR VEHICLE DIVISION

# NOTICE OF REVOCATION

Este documento es muy importante. Si no entiende ni lee Ingles, por favor, haga que se lo traduzcan.



STATE OF NEW MEXICO  
COUNTY OF: \_\_\_\_\_  
CITY OF: \_\_\_\_\_

MICROFILM NUMBER, DO NOT WRITE, STAPLE OR PUNCH ABOVE THIS LINE

COUNTY  
CODE: \_\_\_\_\_

DWI CITATION  
MVD-10811  
REV. 04/08

NAME (LAST)				(FIRST)		(M.I.)
ADDRESS						
CITY				STATE	ZIP CODE	
DRIVER LICENSE NUMBER			STATE	EXPIRES	CLASS ENDORSEMENTS	
DATE OF BIRTH	AGE	SEX	HEIGHT	WT	SOCIAL SECURITY NUMBER	

## I. NOTICE OF REVOCATION: YOUR DRIVING PRIVILEGES WILL BE REVOKED IN TWENTY (20) DAYS.

*Request for Hearing:* You may request a hearing on this revocation. The request must be made in writing within ten (10) days from date of service of this notice. If you do not request a hearing, your driver license and/or driving privilege is hereby revoked, pursuant to the Implied Consent Act (Section 66-8-111 NMSA 1978), effective twenty (20) days from receipt of this notice.

Revocation Duration Information and Hearing Request Instructions are explained on the back side of this form.

## II. TEMPORARY DRIVER LICENSE: If you are validly licensed in New Mexico, this document will serve as your temporary license for 20 days. If you request a hearing, this period will be extended until otherwise ordered by the hearing officer. If you are licensed in another state this notice does not affect your license itself, but only your privilege to drive in New Mexico.

## III. LAW ENFORCEMENT OFFICER'S STATEMENT

I hereby swear or affirm that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I arrested the above-named person based on my reasonable grounds to believe that he/she had been driving a motor vehicle  commercial motor vehicle while under the influence of intoxicating liquor or drugs in the County of \_\_\_\_\_, New Mexico. Details of said grounds are specified below.

REASON FOR STOP: \_\_\_\_\_

BASIS FOR CONCLUSION THAT PERSON WAS DRIVING:		<input type="checkbox"/> SAW PERSON DRIVING	<input type="checkbox"/> PERSON ADMITTED DRIVING
<input type="checkbox"/> OTHER: _____			
BASIS FOR CONCLUSION THAT PERSON WAS UNDER INFLUENCE:			
<input type="checkbox"/> ODOR OF ALCOHOL		<input type="checkbox"/> BLOODSHOT, WATERY EYES	<input type="checkbox"/> SLURRED SPEECH
<input type="checkbox"/> PERFORMANCE ON FIELD SOBRIETY TESTS, (OPTIONAL) DESCRIBE FIELD TESTS: _____			
<input type="checkbox"/> OTHER INFORMATION: _____			
<input type="checkbox"/> REFUSED TEST - The above-named person was asked to submit to a chemical test to determine his/her blood or breath alcohol content and, after being advised that failure to submit to a chemical test could result in the revocation of his/her driver's license and/or driving privileges in New Mexico, refused to submit to such a chemical test. <input type="checkbox"/> ACTIONS <input type="checkbox"/> WORDS: (OPTIONAL) _____			
<input type="checkbox"/> SUBMITTED TO TEST - All references to alcohol concentration are as defined in Section 66-8-110(E), NMSA 1978.			
<input type="checkbox"/> BREATH TEST - The above-named person submitted to a breath test and the test result indicated an alcohol concentration of eight one hundredths or more in the person's breath if the driver is 21 years of age or older or an alcohol concentration of two one-hundredths or more if the person is less than 21 years of age or an alcohol concentration of four one-hundredths or more and the person was driving a commercial motor vehicle. The actual test result was _____.			
<input type="checkbox"/> BLOOD TEST - The above-named person submitted to a blood test and the test result was received from the laboratory on (date) _____. The test result indicated the person had an alcohol concentration of eight one-hundredths or more in the person's blood if the driver is 21 years of age or older or an alcohol concentration of two one-hundredths or more if the person is less than 21 years of age or an alcohol concentration of four one-hundredths or more and the person was driving a commercial motor vehicle. The actual test result was _____.			

SERVICE - I personally served a copy of this document on the person named above on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
DECLARATION - I hereby declare under the penalty of perjury that the information given in this statement is true and correct to the best of my knowledge.

Printed Arresting Officer's Name & ID Number

Officer's Agency and Agency Code

Arresting Officer's Signature

Name and Agency of every other Officer who should be subpoenaed to any hearing requested, including officer who administered test, if different from arresting officer (Full name, ID No & agency): \_\_\_\_\_

I received the Notice of Revocation on \_\_\_\_\_,

Date

Driver's Signature

Law enforcement officer check one of these statements if applicable:

Driver unable to sign

Driver refused to sign

**CITY OF LAS VEGAS**  
**VEHICLE IMPOUND ORDER**  
**LAS VEGAS POLICE DEPARTMENT**

Case # \_\_\_\_\_  
 Arrest # \_\_\_\_\_  
 Date \_\_\_\_\_

VEHICLE DESCRIPTION - YEAR \_\_\_\_\_ MAKE \_\_\_\_\_ MODEL \_\_\_\_\_  
 LICENSE # \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_ VIN \_\_\_\_\_  
 IMPOUNDED FROM - OWNER \_\_\_\_\_ OPERATOR \_\_\_\_\_ REASON \_\_\_\_\_  
 LOCATION IMPOUNDED FROM \_\_\_\_\_  
 IMPOUNDED AT \_\_\_\_\_ (Name of Wrecker Service) PHONE # \_\_\_\_\_

**INVENTORY LIST:**

	YES / NO
1. Keys in Vehicle	
2. Radio / Tape Deck	
3. C.B. Radio	
4. Spare Tire	
5. Lug Wrench	
6. Jack	

	YES / NO
7. Mag Wheels	
8. Auxiliary Lights	
<b>OTHER ITEMS / LIST</b>	
9. _____	
10. _____	
11. _____	

12. \_\_\_\_\_  
 13. \_\_\_\_\_  
 14. \_\_\_\_\_  
 15. \_\_\_\_\_  
 16. \_\_\_\_\_  
 17. \_\_\_\_\_

**Vehicle Damage At The Time Of Impound (Describe)**

1. Roof _____	8. Interior _____
2. Doors _____	9. Windshields (or) Windows _____
3. Hood _____	10. Bed _____
4. Front End _____	11. Left Rear Quarter Panel _____
5. Rear End _____	12. Left Front Quarter Panel _____
6. Trunk _____	13. R/R Quarter Panel _____
7. Undercarriage _____	14. R/F Quarter Panel _____

Vehicle Impounded Authority : Owner Request \_\_\_\_\_ Police Department \_\_\_\_\_ Other \_\_\_\_\_  
 (Explain)

(Vehicle Owner Signature)

(Wrecker Driver Signature)

(Officer Signature)

**Special Instructions on Disposition of Vehicle**

Hold For Evidence \_\_\_\_\_

Hold For Proof Of Ownership \_\_\_\_\_

Authority Release \_\_\_\_\_

(Officer's Signature)

(Receipt of Vehicle - Owner's Signature)

The Police Department does not regulate the fees charged by the wrecker drivers or company. Any inquiries or complaints on these charges or damages done by the wrecker driver or company should be made to the State Corporation Commission of New Mexico, PERA Building, P.O. Drawer 1269, Santa Fe, New Mexico 87501.

**RELEASE PROCEDURES:**

- A) Cash Payment
- B) Release time 6:00 a.m. - 6:00 p.m. (except Holidays)

WHITE COPY - RECORDS

YELLOW COPY - VEHICLE OWNER

PINK COPY - WRECKER SERVICE